PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM			Application Number		10/807,635
			Filing Date		March 23, 2004
			First Named Inventor		Daniel E. AFAR
(to be used for all correspondence after initial filing)			Art Unit		1642
(10 00 000			Examiner Name		C. Joyce
Total Number	r of Pages in This Submiss	sion 5	Attorney Docket Number		511582001111
ENCLOSURES (Check all that apply)					
Fee Transr	nittal Form	Drawing(s)			After Allowance Communication to TC
Fee Attached		Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences
Amendment/Reply		Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final		Petition to Convert to a Provisional Application			Proprietary Information
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address			Status Letter
Extension of Time Request		Terminal Disclaimer			X Other Enclosure(s) (please Identify below):
Express Abandonment Request		Request for Refund			Substance of Examiner Interview (2 pages); Corrections to Examiner's
Information Disclosure Statement		CD, Number of CD(s)			Amendment (2 pages) Return Receipt Postcard
Certified Copy of Priority Document(s)		Landscape Table on CD		CD	
Reply to Missing Parts/ Incomplete Application		Remarks			
Reply to Missing Parts under		CUSTOMER NO.: 36327			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm Name	MORRISON & FOERSTER LLP				
Signature Kate Williamsen					
Printed name	Kate H. Murashige				
Date	January <u>26</u> , 2007			Reg. No.	29,959
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Dated: January 26, 2007 Signature: Gludy Calem)					

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 26, 2007

Signature: Way Cal

Docket No.: 511582001111

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Daniel E. AFAR et al

Application No.: 10/807,635

Filed: March 23, 2004

For: NOVEL 13-TRANSMEMBRANE PROTEIN

EXPRESSED IN PROSTATE CANCER

Confirmation No.: 4032

Art Unit: 1642

Examiner: Catherine Joyce

SUBSTANCE OF EXAMINER INTERVIEW UNDER 37 C.F.R. §1.33(B)

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This reply is in response to the Examiner's Interview Summary of December 15, 2006 which was mailed to us with the Notice of Allowance on January 10, 2007 for which a response is due on February 10, 2007. Accordingly, this response is timely filed.

Please enter the following into record:

Applicants acknowledge the summary of the interview conducted with the Examiner.

Applicants agree with the Substance of the Interview as described by the Examiner.

sd-355604 1

Application No.: 10/807,635 Docket No.: 511582001111

Applicants have noted a couple of typographical errors in the presentation of the amendments, and on the next page have reproduced the claims indicating the change from the claims as typed in the amendment, which differ by virtue of these errors from those on file.

In summary, in claim 42(c), "GTE5" should be "GTE9" and in claim 45, the designation number should be 207129, not 207084. Applicants further noted that in the Examiner's amendment, in claims 45 and 46, the addition of the words "the full" was not indicated by an underline. Applicants hope that any confusion created by this can be resolved based on this submission.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 511582001111. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January <u>26</u>, 2007

Respectfully submitted,

Kate H. Murashige

Registration No.: 29,959 MORRISON & FOERSTER LLP

By Kate to Muses

12531 High Bluff Drive

Suite 100

San Diego, California 92130-2332

Tel.: (858) 720-5112 Fax.: (858) 720-5125

sd-355604 2

Corrections to Examiner's Amendment

- 42. An isolated nucleic acid molecule which comprises a nucleotide sequence that
- (a) encodes a protein comprising the amino acid sequence of SEQ ID NO: 2 or a variant thereof at least 90% identical thereto, wherein amino acid substitutions are conservative amino acid substitutions, which variant raises antibodies that specifically bind the extracellular region of the protein consisting of the amino acid sequence of SEQ ID NO: 2; or
- (b) encodes the protein encoded by a cDNA contained in the plasmid designated p24P4C12-GTE5 deposited with American Type Culture Collection as Designation No. 207129; or
- (c) encodes the protein encoded by a cDNA contained in the plasmid designated p24P4C12-GTE5 p24P4C12-GTE9 deposited with American Type Culture Collection as Designation No. 207084; or
- (d) comprises a nucleotide sequence fully complementary to the entire length of the nucleotide sequences designated in paragraphs (a)-(c).
- 43. The nucleic acid molecule of claim 42 which comprises a nucleotide sequence that encodes a protein comprising the amino acid sequence of SEQ ID NO: 2 or a variant thereof at least 90% identical thereto, wherein amino acid substitutions are conservative amino acid substitutions, which variant raises antibodies that specifically bind the extracellular region of the protein consisting of the amino acid sequence of SEQ ID NO: 2, or the full complement of said nucleotide sequence over its entire length.
- 44. The nucleic acid molecule of claim 43 wherein said nucleotide sequence encodes the amino acid sequence of SEQ ID NO: 2 or the full complement of said nucleotide sequence over its entire length.
- 45. The nucleic acid of claim 42 which comprises a nucleotide sequence that encodes the protein encoded by a cDNA contained in the plasmid designated p24P4C12-GTE5 deposited with American Type Culture Collection as Designation No. 207084 207129 or the full complement of said nucleotide sequence over its entire length.

sd-275078 1 As of Notice of Allowance

Client-Matter # 511582001111

Serial No. 10/807,635

- 46. The nucleic acid molecule of claim 42 which comprises a nucleotide sequence that encodes the protein encoded by a cDNA contained in the plasmid designated p24P4C12-GTE9 deposited with American Type Culture Collection as Designation No. 207084 or the full complement of said nucleotide sequence over its entire length.
- 48. The nucleic acid molecule of claim 42 which comprises SEQ ID NO: 1 from nucleotide residue number 6 through nucleotide residue number 2138 or the full complement of said nucleotide sequence over its entire length.
- 49. A recombinant expression system which comprises the nucleotide sequence contained in the nucleic acid molecule of claim 42 operably linked to control sequences for expression.
 - 50. Isolated recombinant host cells comprising the expression system of claim 49.
- 51. A method to produce a protein having the characteristics of 24P4C12 which method comprises culturing the cells of claim 50 under conditions for expression, and optionally recovering said protein.